

PTO/SB/25 (09-06)

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REJECTION OVER A PENDING "REFERENCE" APPLICATIONDocket Number (Optional)
98-11CIP1RCE

In re Application of: LACY et al.

Application No.: 09/420,334

Filed: October 18, 1999

For: Graphic Design of Combinatorial Material Libraries

The owner¹, Symyx Technologies, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09/174,858, filed on October 19, 1998, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

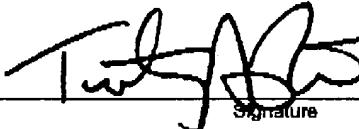
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. 41,258



Signature

October 11, 2006
Date

Timothy A. Porter

Typed or printed name

408-720-2523
Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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PTO/SB/86 (08-03)

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STATEMENT UNDER 37 CFR 3.73(b)**RECEIVED
CENTRAL FAX CENTER****OCT 11 2006**Applicant/Patent Owner: Lacy et al.Application No./Patent No.: 09/420,334 Filed/Issue Date: October 18, 1999Entitled: Graphic Design of Combinatorial Material LibrariesSymyx Technologies, Inc. a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or2. an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is _____ %
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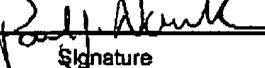
 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

October 11, 2006Paul J. Nowak

Date

Typed or printed name

408-764-2000

Telephone number

Signature

Executive Vice President and Chief Operating Officer

Title

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